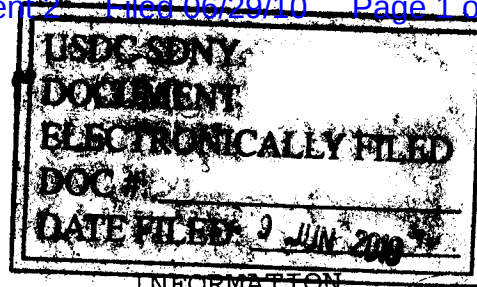


Judge Hellerstein

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA :

- v. - :

BRIAN DACEY, :

Defendant. :

10 CRIM 587

COUNT ONE

The United States Attorney charges:

1. From in or about September 2004, up to and including in or about October 2006, in the Southern District of New York and elsewhere, BRIAN DACEY, the defendant, unlawfully, willfully and knowingly, did embezzle, steal, purloin, and convert to his use and the use of others, vouchers, money and things of value of the United States and a department and an agency thereof, to wit, the United States Department of Housing and Urban Development, which exceeded the sum of \$1,000, and did receive, conceal, and retain the same with intent to convert it to his use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit, DACEY fraudulently obtained federal housing subsidies to which he was not entitled.

(Title 18, United States Code, Section 641.)

FORFEITURE ALLEGATION

2. As the result of committing the theft of

government funds offense alleged in Count One of this Information, BRIAN DACEY, the defendant, shall forfeit to the United States, pursuant to Title 18, United States Code, Sections 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real and personal, constituting or derived from proceeds traceable to the offense, including but not limited to at least \$61,381 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the theft of government funds charged in Count One of this Information.

Substitute Asset Provision

3. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above

forfeitable property.

(Title 18, United States Code, Section 981;
Title 21, United States Code, Section 853; and
Title 28, United States Code, Section 2461.)

A handwritten signature in cursive script, reading "Preet Bharara", positioned above a horizontal line.

PREET BHARARA
United States Attorney

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

BRIAN DACEY,

Defendant.

INFORMATION

10 Cr.

(18 U.S.C. § 641)

PREET BHARARA

United States Attorney.

6/29/10

- Waiver r info filed; Deft is arraigned on information.
Deft pres. Watty. Neil Ruggin. AUSA Justin Anderson
pres. Deft enters a plea of guilty to the information.
Court reporter Martha Drens present. PSR Ordered. 1
Sentencing set for 10/22/10 @ 11:00 a.m. Deft
cont'd on ~~ROR~~ ROR.

Hellerstein, J.